

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

SEA STAR LINE, LLC,
a limited liability company,

Plaintiff,

-vs-

EMERALD EQUIPMENT LEASING,
INC., a corporation,

Defendant/Plaintiff
on the Counterclaim

-vs-

SEA STAR LINE, LLC

Defendant on the
Counterclaim

CIVIL ACTION

Case No. 05-CV-00245-(JJF)

**EMERALD EQUIPMENT LEASING, INC.'S MOTION FOR PARTIAL
SUMMARY JUDGMENT ON COUNT III OF THE AMENDED
COUNTERCLAIM OF EMERALD SEEKING AN ACCOUNTING
AND FOR FURTHER RELIEF APPOINTING A MASTER
PURSUANT TO FED.R.CIV.PROC. 53**

Pursuant to Fed.R.Civ.Proc. 56, Defendant/Plaintiff on the Counterclaim, Emerald Equipment Leasing, Inc. ("Emerald") moves for entry of an Order for partial summary judgment on Count III of the Amended Counterclaim of Emerald seeking an accounting and for further relief appointing a master pursuant to Fed.R.Civ.Proc. 53. In support of this Motion, and as grounds therefore, Emerald files herewith its Opening Brief in Support of Emerald's Motion for Partial Summary Judgment on Count III of the

Amended Counterclaim of Emerald Seeking an Accounting and For Further Relief
Appointing a Master Pursuant to Fed.R.Civ.Proc. 53 together with accompanying
Appendix.

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: /s/ Ronald S. Gellert, Esq.
Tara Lattomus, Esq. (No. 3515)
Ronald S. Gellert, Esq. (No. 4259)
300 Delaware Avenue
Suite 1210
Wilmington, DE 19801
302-425-0430

-and-

Gary M. Schildhorn, Esq.
Alan I. Moldoff, Esq.
Two Liberty Place
50 South 16th Street, 22nd Floor
Philadelphia, PA 19102
215-851-8400
Counsel for Emerald Equipment Leasing, Inc.

May 25, 2007